

1647  
L47IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): John E. Sims

Serial No.: 09/769,878

Group Art Unit No.: 1647

Filed: January 25, 2001

Examiner: F. M. Hamud

For: FIL-1 THETA DNAs AND POLYPEPTIDES

Docket No.: 2976-B

RECEIVED

AUG 15 2003

TECH CENTER 1600/2900

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure as set forth in 37 C.F.R. §1.56, §1.97 and §1.98, Applicant hereby discloses publications known to him, which may be material to the patentability of this invention. The enclosed publications are listed on the attached Form PTO-1449. Kindly acknowledge receipt of this Statement and make the cited references of record in the subject application.

Submission of these publications do not constitute an admission that it is "prior art" under 35 U.S.C. §102 or §103, and Applicant specifically reserves the right to antedate any such material as by a showing under 37 C.F.R. §1.131 or other method. Applicant submits that the claims of the above-captioned application are directed to subject matter that is patentably distinct from the disclosure of the above-cited references.

The above-cited references are submitted under §1.97(c) and accompanied by the fee of \$180 as set forth in §1.17(p). The Commissioner is authorized to charge the \$180 fee and any other fees, which may be required to Deposit Account No. 09-0089. A duplicate copy of this sheet is enclosed.

08/16/2003 SKIMASSI 00000058 090089 09769878

01 FC:1806 180.00 DA

Respectfully submitted,

Patricia Anne Perkins  
 Agent for Applicant  
 Registration No.: 34,693  
 Phone: (206) 265-4782

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

August 16, 2003

Date

Elizabeth M. McCarthy

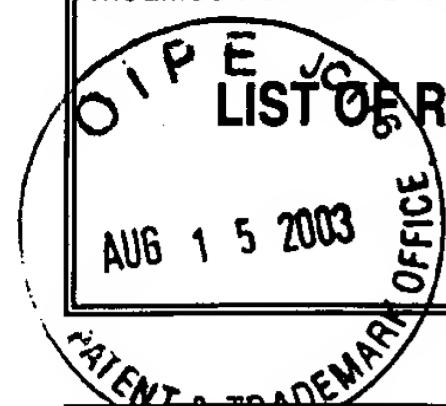
Elizabeth M. McCarthy

Date: August 12, 2003

Please send all future correspondence to:

Immunex Corporation  
Law Department  
51 University Street  
Seattle, WA 98101  
(206) 587-0430

Modified Form PTO-1449

**LIST OF REFERENCES CITED BY APPLICANT**

(Use several sheets if necessary)

Atty. Docket No.	Serial No.
2976-B	09/769.878
Applicant	
John E. Sims	

Filing Date

January 25, 2001

Group

1647

**U.S. PATENT DOCUMENTS**

EXAMINER'S INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
A1	US 6,339,141 B1	01/15/02	Ballinger, et al.			
A2	US 6,365,726 B1	04/02/02	Ballinger, et al.			
A3	US 6,372,892 B1	04/16/02	Ballinger, et al.			AUG 19 2003
A4						TECH CENTER 1600/2900
A5						
A6						
A7						
A8						
A9						
A10						

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION <u>YES</u> <u>NO</u>
B1	WO 01/42304 A1	06/14/01	WIPO			
B2						
B3						
B4						
B5						

**OTHER DOCUMENTS (Including Publisher, Author, Title, Date, Pertinent Pages, Etc.)**

C1	
C2	
C3	
C4	
C5	
C6	

EXAMINER:

Date Considered:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.